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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/534,233	03/24/2000	Khai Hee Kwan		3307

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KHAI HEE KWAN  
315 AVOCA ST.  
RANDWICK, 02031  
AUSTRALIA

EXAMINER

GRAHAM, CLEMENT B

ART UNIT	PAPER NUMBER
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3628

DATE MAILED: 03/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/534,233

**Applicant(s)**

KWAN, KHAI HEE

**Examiner**

Clement B Graham

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 15-19 and 24-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 15-19 and 24-38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. Claims 1-14, and 20-23, has been previously deleted and claims 15-19, and 24-38, remained.

#### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 15-19 and 24-38, are rejected under 35 U.S.C. 103(a) as being unpatentable over Huberman U.S. Patent No. 5, 826, 244 in view Breen Jr, et al (Hereinafter Breen Jr U.S Patent 6, 598, 027).

As per claims 15, 18-19, Huberman discloses a method for soliciting competitive terms of deposit operating on a deposit auction system, said system including a programmed computer connected to a network accessible by a plurality of users within a first selected period of time and anonymity means for concealing the identities of deposit applicants ("i. e, customers and suppliers submitting services request and bids to broker" interpretive as concealing the identities" see column 3 lines 40-58"), the method executable at said computer comprising:

a) receiving deposit application.("i. e, request ") from a prospective depositor who is a respective one of the users, wherein said application comprising permissible personal information and money, securities or financial equivalent deposit offer terms as subscribed by the prospective depositor (see column 3 line 65 and column 4 line 5-15)  
c) receiving from at least one deposit-taking institution, who is a respective one of the users communicating over the network, at least a respective one of the responsive bids ("i. e, broker") for said deposit application wherein said bid comprises at least one of responsive deposit terms, type of guarantees, payment schedule, deposit rate, securities in exchange and terms of exchange.(see column 3 lines 45-65 and column 4 lines 5-65) and (column 19 lines 45-60 and column 20 lines 5-10) and

d ) receiving an electronic instruction from the deposit applicant, notifying and authorizing at least one selected deposit-taking institution to access a real identity and personal information of said applicant for a second selected period of time.(see column 5 lines 10-30).

Huberman fail to explicitly teach assigning a handle to conceal to broker a real identity of the said prospective depositor and displaying said depositor's application anonymously.

However Breen, Jr discloses a potential buyer/seller wishing to become a member is also required to enter into a contractual agreement with the intermediary and to become bound by various terms, conditions and policies set forth by the intermediary (Block). Such a user agreement may include terms, conditions and policies relating to liability, product quality, taxes, shipping, payment, shilling, privacy, anonymity of buyers/sellers, and so forth. (see column 9 lines 58-65 and column 14 lines 12-23).

Therefore it would have been obvious to one of ordinary skill in the art the time the invention was made to modify the teachings of Huberman to include assigning a handle to conceal to broker a real identity of the said prospective depositor and displaying said depositor's application anonymously.

taught by Breen, Jr in order to facilitate transactions between buyers and sellers without identifying the parties involves in the transaction.

As per claim 16, Huberman discloses further comprising a step of receiving from deposit applicant communicating over the network, an electronic instruction selecting at least one of responsive deposit-taking institutions bided for said depositor's application. (see column 3 lines 45-65 and column 4 lines 5-65) and (column 19 lines 45-60 and column 20 lines 5-10).

As per claim 17, Huberman discloses the method according to claim 15, includes a step of verifying the ownership.("i. e, authentication") of said money, securities or financial equivalent as subscribed by deposit applicant.(see column 1 lines 15-20 and column 3 lines 40-55).

As per claim 24, Huberman discloses a deposit auction system including a computer connected to a network programmed to perform the method of Claim 15.(see column 20 lines 20-30).

As per claim 25, Huberman discloses a deposit auction system including a computer connected to a network programmed to perform the method of Claim 16. (see column 20 lines 20-30) and (see column 3 lines 45-65 and column 4 lines 5-65) and (column 19 lines 45-60 and column 20 lines 5-10).

As per claim 26, Huberman discloses a deposit auction system including a computer connected to a network programmed to perform the method of Claim 17. (see column 20 lines 20-30).

As per claim 27, Huberman discloses a deposit auction system including a computer connected to a network programmed to perform the method of Claim 18. (see column 20 lines 20-30 and column 1lines 15-20).

As per claim 28, Huberman discloses a deposit auction system including a computer connected to a network programmed to perform the method of Claim 19. (see column 20 lines 20-30).

As per claim 29, Huberman discloses Computer executable software code stored on a computer readable storage medium implementing the method of claim 15.( see column 1lines 15-20 and column 3 lines 45-55).

As per claim 30, Huberman discloses computer executable software code stored on a computer readable storage medium implementing the method of claim 16. (see column 3 lines 45-65 and column 4 lines 5-65) and (column 19 lines 45-60 and column 20 lines 5-10).

As per claim 31, Huberman discloses computer executable software code stored on a computer readable storage medium implementing the method of claim 17. .(see column 1 lines 15-20 and column 3 lines 40-55).

As per claim 32, Huberman discloses computer executable software code stored on a computer readable storage medium implementing the method of claim 18. .(see column 1 lines 15-20 and column 3 lines 40-55).

As per claim 33, Huberman discloses computer executable software code stored on a computer readable storage medium implementing the method of claim 19.(see column 3 lines 55).

As per claims 34-35, 37-38, Huberman discloses a deposit auction system for soliciting competitive terms of deposit connected to a network, said network comprising at least one client computer and a programmed computer further comprising a database of deposit applications said network accessible by a plurality of users within a first selected period of time. ("i. e, as interpretive see column 3 lines 40-58"), comprising:

a) means for receiving a deposit application.("i. e, request") from a prospective depositor who is a respective one of the users, wherein said application comprising permissible personal information and money, securities or financial equivalent deposit offer terms as subscribed by the prospective depositor. (see column 3 line 65 and column 4 line 5-15)

c) means for receiving from at least one deposit-taking institution, who is a respective one of the users communicating over the network, at least a respective one of the responsive bids for said deposit application offer wherein said bid comprises at least one of responsive depositing terms (see column 3 line 65 and column 4 line 5-15) type of guarantees, payment schedule, deposit rate, securities in exchange and terms of exchange. (see column 3 lines 45-65 and column 4 lines 5-65) and (column 19 lines 45-60 and column 20 lines 5-10) and

d) means for receiving an electronic instruction from the deposit applicant, notifying and authorizing at least one selected deposit-taking institution to access a real identity and personal information of said applicant for a second selected period of time.(see column 5 lines 10-30).

Huberman fail to explicitly teach anonymity means for assigning a handle to conceal a real identity of the said prospective depositor for and displaying said depositor's application anonymously.

However Breen, Jr discloses A potential buyer/seller wishing to become a member is also required to enter into a contractual agreement with the intermediary and to become bound by various terms, conditions and policies set forth by the intermediary

(Block). Such a user agreement may include terms, conditions and policies relating to liability, product quality, taxes, shipping, payment, shilling, privacy, anonymity of buyers/sellers, and so forth. (see column 9 lines 58-65 and column 14 lines 12-23).

Therefore it would have been obvious to one of ordinary skill in the art the time the invention was made to modify the teachings of Huberman to include anonymity means for assigning a handle to conceal a real identity of the said prospective depositor for and displaying said depositor's application anonymously taught by Breen, Jr in order to facilitate transactions between buyers and sellers without identifying the parties involves in the transaction.

As per claim 36, Huberman fails to explicitly teach means for verifying the ownership of said money, securities or financial equivalent as subscribed by deposit applicant.

However verifying the ownership and authenticity of a document is old and well known in the art because the document would have had to consist of an identification number name of the owner and date acquired.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Huberman to include verifying the ownership and authenticity of a document because the document would have had to consist of an identification number name of the owner and date acquired.

### **Conclusion**

### **RESPONSE TO Arguments**

4. Applicant 's arguments filed on 8/27/2004 are has been fully considered but they moot in view of new grounds of rejection.
5. In response to Applicant's arguments pertaining to Huberman.
6. In response to Applicant's arguments that Huberman fail to teach or suggest" method for soliciting competitive terms of deposit operating on a deposit auction system, said system including a programmed computer connected to a network accessible by a plurality of users within a first selected period of time and anonymity means for concealing the identities of deposit applicants the method executable at said a) receiving deposit application from a prospective depositor who is a respective one of

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the users, wherein said application comprising permissible personal information and money, securities or financial equivalent deposit offer terms as subscribed by the prospective depositor c) receiving from at least one deposit-taking institution, who is a respective one of the users communicating over the network, at least a respective one of the responsive bids for said deposit application wherein said bid comprises at least one of responsive deposit terms, type of guarantees, payment schedule, deposit rate, securities in exchange and terms of exchange see column 3 lines 45-65 and column 4 lines 5-65 and (d ) receiving an electronic instruction from the deposit applicant, notifying and authorizing at least one selected deposit-taking institution to access a real identity and personal information of said applicant for a second selected period of time these limitation were addressed in a combination of teachings as stated Huberman discloses a method for soliciting competitive terms of deposit operating on a deposit auction system, said system including a programmed computer connected to a network accessible by a plurality of users within a first selected period of time and anonymity means for concealing the identities of deposit applicants.("i. e, customers and suppliers submitting services request and bids to broker" see column 3 lines line 55"), the method executable at said computer comprising:

a) receiving deposit application.("i. e, request ") from a prospective depositor who is a respective one of the users, wherein said application comprising permissible personal information and money, securities or financial equivalent deposit offer terms as subscribed by the prospective depositor see column 3 line 65 and column 4 line 5-15 c) receiving from at least one deposit-taking institution, who is a respective one of the users communicating over the network, at least a respective one of the responsive bids ("i. e, broker") for said deposit application wherein said bid comprises at least one of responsive deposit terms, type of guarantees, payment schedule, deposit rate, securities in exchange and terms of exchange see column 3 lines 45-65 and column 4 lines 5-65 and column 19 lines 45-60 and column 20 lines 5-10 and d ) receiving an electronic instruction from the deposit applicant, notifying and authorizing at least one selected deposit-taking institution to access a real identity and



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personal information of said applicant for a second selected period of time see column 5 lines 10-30.

Breen, Jr discloses a potential buyer/seller wishing to become a member is also required to enter into a contractual agreement with the intermediary and to become bound by various terms, conditions and policies set forth by the intermediary (Block). Such a user agreement may include terms, conditions and policies relating to liability, product quality, taxes, shipping, payment, shilling, privacy, anonymity of buyers/sellers, and so forth. see column 9 lines 58-65 and column 14 lines 12-23.

Therefore it is obviously clear that the claimed limitations were addressed above within the combine teachings of Huberman and Breen Jr.

7. Any inquiry concerning this communication or earlier communication from the Examiner should be directed to Clement Graham whose telephone number is (703) 305-1874 Or Hyung S. Sough whose telephone number is (703) 308-0505. The examiner can normally be reached on Monday through Friday from 8:30 AM to 5:00 PM. The fax phone number for this Art Unit is (703) 305-0040. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

CG

March 7, 2005.

  
HYUNG SOUGH  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600